

Appl. No. 10/689,488
Amdt. Dated July 20
Reply to Office Action of March 23, 2005

Docket No. CE11095J1260
Customer No. 24,273

CLAIM STATUS

Claim 1 has been rewritten. Claims 17-20 are new. Claims 1-20 remain in the application.

REMARKS/ARGUMENTS

Claim Rejections – 35 USC § 102

Claims 1-3, 6, and 8 are rejected under 35 U.S.C. §102(e) as being anticipated by Jung et al. (U.S. 2004/0198474)

Jung shows a device having two body halves, a main body 50 and a folder 60. A display 62 is immovably mounted in the folder 60. The folder 60 is mounted on a rotation unit 80 that is perpendicularly mounted on a hinge 58. The entire folder, including the display, rotates on the rotation unit as the folder moves relative to the main body 50. The same surface of the folder is oriented towards the user when the folder is in an open and closed position. The display 62 does not move with respect to the folder 60.

Conversely, Applicant's invention uses a display module 108 that is moveably mounted in the first body portion 110. That is, the display module moves with respect to the body portion in which it is mounted. As originally claimed in claim 1, Applicant recited that it is the display module that rotates, and not the first body portion, so that the display can be seen in either the open or closed positions of the device. Applicant has amended claim 1 to clarify that the display module, i.e. the display itself, rotates with respect to the first body portion. Jung does not show rotation of the display within the folder. As such, Jung does not anticipate claim 1.

Regarding claims 2 and 3, Examiner contends that Jung shows the display 62 as rotating on a horizontal axis or vertical axis with respect to the folder. This is incorrect. The display in Jung is immovably mounted within the folder, does not rotate or move in any way relative to the folder. As such, Jung does not anticipate claims 2 and 3.

Regarding claims 6 and 8, Examiner contends Jung shows gear assembly and motor for rotating the display. This is imprecise. The gears and motor shown in Jung cause movement of the folder 60. Because the display is immovably mounted in the folder with respect to the folder,

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it moves with the folder. Applicant's claims 6 and 8 claim means for rotating the display module with respect to the body portion in which it is mounted. As such, Jung does not anticipate claims 6 and 8.

Claim Rejections – 35 USC § 103

Claims 9-11, 14, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jung in view of Han (U.S. 2003/0114198).

As discussed above, the display in Jung is rigidly or immovably mounted in the folder 60 of Jung with respect to the folder. Han shows a foldable device with a display that rotates – spins – on one surface of the body portion on which it is mounted. It is moveable with respect to a plane defined by the folder unit 2. The display in Han does not rotate with respect to the folder so that the display is viewable both when the device is open and closed. It is rotatable between essentially a portrait orientation and landscape orientation. The display in Han is only viewable when the device is open.

A combination of Jung and Han would not realize Applicant's claimed invention. Instead, what would result is a device where the entire folder rotates, and the display is spinnable between portrait and landscape orientations. Neither Jung nor Han show the display's viewable surface being aligned with an inside surface of the folder when the device is open, and an outside surface of the folder when the device is closed. In Jung, the display is immovably mounted with respect to the folder; the viewing surface of the display is always aligned with the same surface of the folder. The same is true of Han; the display in Han is always aligned with the same surface of the folder. As such, a combination of Jung and Han would not produce Applicant's claimed invention as claimed in claim 9 because Applicant's display module rotates from being aligned with an inside surface to being aligned with an outside surface of the body portion in which it is mounted. Examiner contended that the display in Jung is aligned with an inside surface and then an outside surface, but as Applicant has shown, this is incorrect. The display in Jung is fixed with respect to the folder and is always aligned with the same surface of the folder.

Regarding claims 10 and 11, neither Jung nor Han show a display rotatable on a vertical axis or horizontal axis as claimed by Applicant. The display of Han is rotatable on an axis perpendicular to the folder, in a manner that is coplanar with the folder. The combination of Jung and Han do not, therefore, render Applicant's claims obvious.

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Regarding claims 14 and 16, as discussed with respect to claims 6 and 8, Jung does not show the same claim elements because the elements claimed by Applicant in these claims are for causing rotation of the display module with respect to the body portion in which it is mounted. Neither Jung nor Han alone or in combination show the limitations of these claims. As such, claims 14 and 16 are not rendered obvious by a combination of Jung and Han.

Claims 4, 5, and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jung in view of Nakamura et al. (U.S. 6,829,490).

Examiner contends that Nakamura discloses a belt for causing rotation of the display. This is incorrect for two reasons. What is shown in Nakamura is a flexible circuit substrate for carrying electrical signals and power. It is described as being "belt-like," but it is not a belt. It is analogous to the flexible circuit board 602 shown and described by Applicant. No rotational force, or any other force, is imparted through the flexible substrate of Nakamura.

Regarding claims 5 and 7, Examiner contends Nakamura shows a belt which slips in preventing over-rotation of the display. This is incorrect. First, as described above, the flexible substrate of Nakamura is not a belt. It is wound within the hinge 30 so that it doesn't rub against itself. It is used to electrically connect elements in the different body portions, as described at column 2, lines 14-16. The configuration of the flexible substrate is to allow rotation of the body halves about the hinge without stressing or damaging the flexible substrate. Secondly, the flexible substrate imparts no force to the flip or display. Thirdly, the display in Nakamura does not rotate with respect to the first unit 10.

Claims 12, 13, and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jung in view of Han, in further view of Nakamura. These claims claim similar subject matter as claims 4, 5, and 7, which have been rejected on similar grounds. The distinctions provided above therefore apply to these claims as well.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

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The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

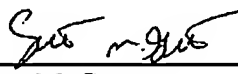
In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Respectfully submitted,

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